



# Summary of Commonly Used Visa Classifications

The following is a guide for departments who wish to invite and/or employ a foreign national. It is recommended that you familiarize yourself with the policies, procedures and timelines for obtaining various immigration benefits and classifications.

	Visa Waiver Program	B-1/B-2	J-1	H-1B	E-3	TN	O-1	Permanent Residency
<b>Country</b>	See list <a href="#">here</a>	Any	Any	Any	Australia	Mexico or Canada	Any	Any
<b>Immigrant Category</b>	Nonimmigrant	Nonimmigrant	Nonimmigrant	Nonimmigrant (but has dual intent)	Nonimmigrant	Nonimmigrant	Nonimmigrant (but has dual intent)	Immigrant
<b>Intent/Purpose of U.S. visit</b>	Visiting the U.S.	Visiting the U.S.	Cultural Exchange	Dual intent - Temporary or permanent employment	Temporary employment	Temporary employment	Temporary Employment	Permanent Employment
<b>Duration Allowed</b>	90 days or less	Determined upon entry, usually 6 mo. (although the visa stamp can be valid up to 10 years)	Generally: 5 yrs Short-term Scholar: 6 mo. or less	6 yrs (3 yrs/each), with exceptions (ex: if has approved I-140)	Indefinite, but 2 yrs at a time	Indefinite, but 3 yrs at a time	None; initial application for 3 yrs renewals for 1 yr only	Indefinite
<b>UW salary required?</b>	No	No	No; can be paid or unpaid	Yes	Yes	Yes	Yes	No; can be paid or unpaid
<b>Minimum wage requirement</b>	Not applicable – cannot be paid	Not applicable – cannot be paid	Yes, must meet IFSS minimum funding requirement	Yes, depends on minimum job requirements	Yes, depends on minimum job requirements	No	No	No
<b>Cost to Department to File Initial Petition</b>	None for department	None for department	None for department. SEVIS fee must be paid by the scholar.	\$460 & \$500 for initial petition. Extra \$1410 if requesting premium processing. Subsequent petition fees vary.	\$460 only if filing a petition while employee is <u>inside</u> the US.	\$460 only if filing a petition while employee is <u>inside</u> the US.	\$460 & \$500 for initial petition. Extra \$1410 if requesting premium processing. Subsequent petition fees vary.	None for department.
<b>Cost to Employee</b> (visa fees vary by country)	\$14 ESTA fee	Visa fees	\$180 SEVIS fee Visa fees	None if changing status inside the U.S.	None if changing status inside the U.S.	If traveling outside U.S. to obtain/extend TN, there is a \$50 fee. If entering at a land border, there is also a \$6 fee for the issuance of the I-94.	None if changing status inside the U.S.	\$700 (form I-140) \$85 (Biometrics fee) \$1,140 (form I-485)

	Visa Waiver Program	B-1/B-2	J-1	H-1B	E-3	TN	O-1	Permanent Residency
<b>Document that identifies the status</b>	I-94 card	Visa stamp and I-94 card	DS-2019	I-797 Notice of Action	I-797 Notice of Action (only if petition is filed w/ USCIS) <u>or</u> I-94 card (if traveling to obtain status)	I-797 Notice of Action (only if petition is filed w/ USCIS) <u>or</u> I-94 card (if traveling to obtain status)	I-797 Notice of Action	PR card <u>or</u> I-551 visa <u>or</u> I-797 Notice of action
<b>Who issues the above document?</b>	CBP	DOS grants visa stamp; CBP grants the I-94	IFSS	USCIS	USCIS grants the I-797; CBP grants the I-94	USCIS grants the I-797; CBP grants the I-94	USCIS	USCIS grants the I-797 and PR card; DOS grants the I-551
<b>Dependent Status</b>	Not applicable	Not applicable	J-2	H-4	E-3D	TD	O-3	Not applicable
<b>Dependent Work Authorization</b>	Spouse: No Children: No	Spouse: No Children: No	Spouse: Yes Children: Yes	Spouse: Most, no; (spouses that are eligible, see <a href="#">here</a> ) Children: No	Spouse: Yes Children: No	Spouse: No Children: No	Spouse: No Children: No	Spouse: Yes Children: Yes
<b><a href="#">Two Year Home Residency Requirement</a></b>	Not applicable	Not applicable	Yes; however, not all J-1s are subject; must fulfill it or get waiver before changing to H-1B or PR	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
<b>12 or 24 month bar on repeat participation</b>	Not applicable	Not applicable	Yes, in some cases	Not applicable	No Not applicable	Not applicable	Not applicable	Not applicable
<b>English Proficiency Requirement</b>	No	No	Yes	No	No	No	No	No
<b>Health Insurance Coverage Mandatory for Status?</b>	No; travel insurance recommended	No; travel insurance recommended	<a href="#">Yes</a>	No	No	No	No	No

	Visa Waiver Program	B-1/B-2	J-1	H-1B	E-3	TN	O-1	Permanent Residency
<b>Grace Period for Timely Filed Straight Extensions</b> (no changes in title, department, %, or duties)	Not applicable	Only if I-539 is pending	Not applicable; IFSS issues the documents	240 days	240 days	240 days	240 days	Never expires
<b>Amended Petitions (change in title, dept, % of employment, duties)</b>	Not applicable	Not applicable	Yes, field of specialization and category cannot change. Updated documents needed from IFSS	Must have approval notice from USCIS before change can be in place	Must have approval notice from USCIS before change can be in place	Must have approval notice from USCIS before change can be in place	Must have approval notice from USCIS before change can be in place	Not applicable
<b>Grace Period When Status Expires</b>	None	None	30 days	Depends. Consult IFSS.	None	None	None	Never expires
<b>Travel Endorsement Required</b>	No	No	Yes (valid 6 months)	No	No	No	No	No
<b>Valid Visa stamp needed to enter</b>	No	Yes (except Canadians)	Yes (except Canadians)	Yes (except Canadians)	Yes	Canadians—No Mexicans—Yes	Yes (except Canadians)	No; enters U.S. with PR card
<b>Ways to Extend</b>	None	May file I-539	File request with IFSS; short term scholars cannot extend beyond 6 months	Must file I-129, can use premium processing	Take certified LCA to Consulate or file I-129, no premium processing available	Canadians—go to port of entry or send I-129 Mexicans—go to Consulate or send I-129 Can use premium processing	Must file I-129, can use premium processing	Renew green card itself every 10 years
<b>UW Title</b>	None. Visitor status only—should not have UW appointment at all	None. Visitor status only—should not have UW appointment at all	Non-tenure track Academic Staff, Visiting Faculty, Employee-In-Training	Academic Staff, Faculty or Employee-In-Training and very limited university staff	Academic Staff, Visiting Faculty or Employee-In-Training and very limited university staff	Title must be on Schedule 2 of the Trade NAFTA Treaty (see IFSS website); Non-tenure track	Academic Staff or Faculty, generally	Any
<b>Accept payments outside the UW?</b>	No salary or income allowed. Honorarium may be possible, see <a href="#">here</a> .	No salary or income allowed. Honorarium may be possible, see <a href="#">here</a> .	Prior approval needed from IFSS <u>before</u> event occurring (or program sponsor if not IFSS)	Only per diem (no honorarium)	Only per diem (no honorarium)	Only when notation on I-94 includes the names of <u>all</u> employers for whom you work.	Only per diem (no honorarium)	Yes

	<b>Visa Waiver Program</b>	<b>B-1/B-2</b>	<b>J-1</b>	<b>H-1B</b>	<b>E-3</b>	<b>TN</b>	<b>O-1</b>	<b>Permanent Residency</b>
<b>Allowable funding sources</b>	Not applicable – can't be paid	Not applicable – can't be paid	Personal, UW or home institution (fellowships from outside the UW are allowed)	UW only (cannot be on fellowships from outside the UW)	UW only (cannot be on fellowships from outside the UW)	UW only (cannot be on fellowships from outside the UW)	UW only (cannot be on fellowships from outside the UW)	Any

NOTE: This brief overview is not all-inclusive.